

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

ELAINA WOODS

PLAINTIFF

v.

Civil No. 07-2065

AMANDA SOWA;
DEPUTY R. COVEY; and
DEPUTY WALKER

DEFENDANTS

ORDER

Plaintiff has filed a motion for issuance of witness subpoenas (Doc. 58). She asks that subpoenas be issued for the following individuals for the evidentiary hearing scheduled for July 28, 2009: (1) Cynia Walker, possible address of Chance Sobriety in Little Rock, Arkansas; (2) Jane Doe cell-mate who was in "CD 20 pod" on April 19, 2007, and who either the defendants or Ms. Walker should be able to identify; (3) Amanda Sowa, a named defendant; (4) Johnny Bolinger, an officer with the Fort Smith Police Department, and former defendant; (5) Gregory Napier, an officer with the Fort Smith Police Department, and former defendant; and (6) Deputy Lasiter. Plaintiff indicates Lasiter is employed by the Fort Smith Police Department. She indicates she wants to question him about her booking documents. However, she was booked into the Sebastian County Adult Detention Center. It therefore appears he is employed by that agency.

Plaintiff's motion for the issuance of subpoenas (Doc. 58) is granted in part and denied in part. The court will issue subpoenas for the following individuals: (1) Cynia Walker, the last known address provided to the court by her parole officer is 1562 Amity Road, Hot Springs, AR

71913-9333; (2) Gregory Napier, Fort Smith Police Department, 100 South 10th Street, Fort Smith, AR 72901; and (3) Johnny Bolinger, Fort Smith Police Department, 100 South 10th Street, Fort Smith, AR 72901.

Defendants' counsel is asked to produce without the necessity of this court issuing a subpoena Deputy Lasiter. If counsel cannot produce Deputy Lasiter, this court should be advised by no later than **June 15, 2009**, and provided with Deputy Lasiter's address and phone number. Defendants are also directed to review their records and determine if the Jane Doe cell-mate who was in "CD 20 pod" on April 19, 2007, can be identified. The court is to be advised by **June 15, 2009**, whether this individual can be identified, what efforts have been made to identify her, and if she has been identified, the court should be provided with her last known address and phone number.

The court declines to issue a subpoena for Amanda Sowa. She is a named defendant. A subpoena is therefore not necessary to compel her attendance at the evidentiary hearing. All defendants are required to attend the hearing.

IT IS SO ORDERED this 1st day of June 2009.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE